

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION**

Application No.: 10/064,754
Applicant: Coolbaugh et al.
Filing Date: August 14, 2002
Title: **HIGH PERFORMANCE
VARACTOR DIODES**

Atty. Docket: BUR9-2002-0051-US1
Today's Date: October 23, 2003
Examiner: Scott R. Wilson
Group Art Unit: 2826
Fax: 703-872-9318

RECEIVED
CENTRAL FAX CENTER
OCT 23 2003

Response to Official Action

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

OFFICIAL

Sir:

In response to a restriction requirement dated September 25, 2003, Applicants respectfully request consideration of the claims elected. No fee is due by virtue of this election. However, if the PTO decides that a fee is due, please charge Applicants' deposit account, 09-0456.

CERTIFICATE OF MAILING	
I hereby certify that, on the date shown below, this correspondence is being:	
MAIL	FACSIMILE
<input type="checkbox"/> deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231.	<input checked="" type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office.
Date: <u>OCT. 23, 2003</u>	<u>ANTHONY J. CANALE</u> Name
	<u>Anthony J. Canale</u> Signature

BUR9-2002-0051-US1
10/064,754

Page 1 of 3

The Examiner indicated that restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-6, 13 and 14 drawn to a varactor diode, classified in class 257, subclass 595.
- II. Claims 7-12 and 15-17, drawn to a method of forming a varactor diode, classified in class 438, subclass 379.

Applicants elect the claims of Group II, without traverse, directed to a method of forming a varactor diode. Thus, the claims that are readable on the elected species and variations for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable include: claims 7-12 and 15-17.

Also, upon the allowance of a generic claim, Applicants wish to re-open consideration of claims to additional species and variations which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

The Examiner is urged to call the undersigned at the number listed below if, in the Examiner's opinion, such a phone conference would aid in furthering the prosecution of this application.

Respectfully Submitted,

For: Coolbaugh et al.

By:



Anthony J. Canale

Registration No. 51,526

Agent for Applicants

Phone: (802) 769-8782

Fax: (802) 769-8938

Email: acanale@us.ibm.com

IBM Corporation
Intellectual Property Law - Zip 972E
1000 River Street
Essex Junction, Vermont 05452

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
OCT 23 2003

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
OCT 23 2003

BUR9-2002-0051-US1
10/064,754

Page 3 of 3

Received from <8027698938> at 10/23/03 12:05:21 PM [Eastern Daylight Time]

*** TOTAL PAGE 03 ***